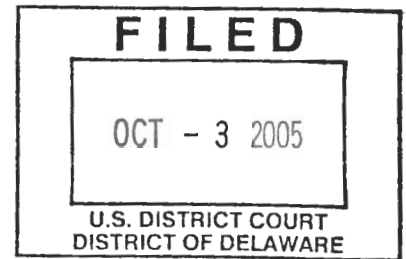


IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

JACK WILLIAM WOLF,                     )  
                                                  )  
                          Petitioner,        )  
                                                  )  
v.                                             ) Civil Action No. 05-631-GMS  
                                                  )  
THOMAS CARROLL,                     )  
Warden,                                    )  
                                                  )  
                          Respondent.     )



**ORDER**

WHEREAS, on March 1, 2004, petitioner Jack William Wolf filed a form petition for the writ of habeas corpus pursuant to 28 U.S.C. § 2254 and the case was opened as *Wolf v. Carroll*, Civ. A. No. 04-130-GMS (D.I. 2 in *Wolf v. Carroll*, Civ. A. No. 04-130-GMS.); and

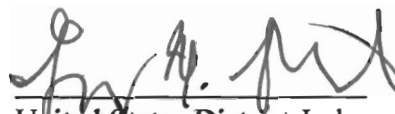
WHEREAS, on January 9, 2004, the State filed a response to Wolf's habeas petition (D.I. 21 in *Wolf v. Carroll*, Civ. A. No. 04-130-GMS.); and

WHEREAS, on August 29, 2005, Wolf filed another form petition for the writ of habeas corpus, without a case number, which was opened as a new habeas proceeding and assigned a new case number, *Wolf v. Carroll*, Civ. A. No. 05-631-GMS (D.I. 1 in *Wolf v. Carroll*, Civ. A. No. 05-631-GMS.); and

WHEREAS, having reviewed the new form petition pursuant to Rule 4 of the Rules Governing Habeas Corpus Cases Under § 2254, 28 U.S.C. foll. § 2254, the court concludes that Wolf is not attempting to initiate a new habeas proceeding, but rather, he is

attempting to respond to the State's assertion that he has not exhausted state remedies for the claims asserted in *Wolf v. Carroll*, Civ. A. No. 04-130-GMS.

NOW, THEREFORE, IT IS ORDERED this 3<sup>rd</sup> day of Oct., 2005, that the case *Wolf v. Carroll*, Civ. A. No. 05-631-GMS, which was opened due to an inadvertent clerical error, be closed, and that the form petition formerly construed as a new habeas petition (D.I. 1 in *Wolf v. Carroll*, Civ. A. No. 05-631-GMS.) be entered on the docket in *Wolf v. Carroll*, Civ. A. No. 04-130-GMS as a Reply to the State's Response.

  
United States District Judge